

EXHIBIT No. 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RLI. INSURANCE COMPANY

Plaintiff,

vs.

INDIAN RIVER SCHOOL, DISTRICT,
EDIS COMPANY, AND BECKER MORGAN
GROUP, INC.

Defendants.

) Civil Action No.: 05-858-JJF
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AFFIDAVIT OF CHRISTIAN J. MCCONE

STATE OF DELAWARE)

COUNTY OF NEW CASTLE)


I, Christian J. McCone, being duly sworn, and based on my own personal knowledge,
state as follows:

1. I am 41 years old, a U.S. Citizen and a resident of the State of Delaware.
2. I am employed by EDiS Company as a project manager and I served as project manager for the Indian River School District's Sussex Central High School construction project in Georgetown, Delaware.
3. I am a Major with the United States Army Reserves. I have been a member of the Reserves since 1986.
4. I returned from deployment to Afghanistan and Kuwait on 15 November 2007. I was mobilized on 27 November 2006 for a term of 1 year. I deployed to Southwest Asia (Kuwait) on 22 January 2007. I was released from active duty on 27 November 2007. Attached

is a copy of the orders releasing me from active duty and the DD214 showing my service while deployed.

5. The Reserves policy on deployment is cyclical based on the Army Force Generation process. Units are deployed for a period of one year followed by a period of five years at home.
6. The unit that I am currently assigned is scheduled to mobilize and deploy to either Afghanistan or Iraq in 2010.
7. The Reserves policy on deployment also requires at least thirty days of training in the United States prior to deployment overseas.
8. I have been ordered to travel to Ft McCoy, Wisconsin for annual training from July 7, 2008 through July 25, 2008. I have requested a change to my orders so that I will return to Delaware by July 21, 2008 for the scheduled trial dates in this matter. I have discussed the trial situation with my commanding officer and he has agreed to release me early in order to attend the trial. My orders will be modified accordingly upon my arrival in Wisconsin.

FURTHER AFFIANT SAYETH NOT,


Christian J. McCone

SWORN TO AND SUBSCRIBED before me this 26 day of June, 2008.


NOTARY PUBLIC



ARRC-CAR-CO

DEPARTMENT OF THE ARMY
90TH REGIONAL READINESS COMMAND
8000 CAMP ROBINSON ROAD
NORTH LITTLE ROCK, AR 72118 2205

ORDER NUMBER: 061316

07 June 2008

MCCONE CHRISTIAN JOHN
19 TRILLIUM DR
MAGNOLIA, DE 19962-9481

166-58-6849 MAJ
0462 TC BN HHD (MMVT CTRL) (WSYFAA)
2150 NOTTINGHAM WAY
TRENTON, NJ 08619-3091

YOU ARE ORDERED TO ANNUAL TRAINING [AT] FOR THE PERIOD INDICATED. UPON COMPLETION OF THE PERIOD OF AT, UNLESS SOONER RELIEVED OR EXTENDED BY PROPER AUTHORITY, YOU WILL RETURN TO THE PLACE WHERE YOU ENTERED AT AND BE RELEASED FROM SUCH DUTY.

PERIOD: 19 DUTY DAY(S)

REPORT TO: FT. MCCOY, WISCONSIN

TIME/DATE: NOT LATER THAN 07:00 HRS 2008/07/07

[VOCO DATE: 2008/05/30]

ATTACHED TO:

PURPOSE: INDIV AT 12 DAYS OR MORE (AB/BB) - PATRIOT WARRIOR 08 - UNIT ECT

ADD'L INSTRUCTIONS: DA FORM 5960 RECERTIFIED 2008/02/09

FAILURE TO COMPLY WITH THIS ORDER VIOLATES UCMJ.

IF YOU CANNOT PERFORM THIS DUTY, NOTIFY YOUR UNIT IMMEDIATELY.

LODGING SUCCESS AREA CALL 1-800-GOARMY1 FOR LODGING.

DUTY IS OUTSIDE OF COMMUTING DISTANCE.

GOVERNMENT QUARTERS ARE NOT AVAILABLE OR DIRECTED.

GOVERNMENT MEALS ARE NOT AVAILABLE OR DIRECTED.

USE OF COMM TRAVEL OFFC (CTO) IS MANDATORY FOR COMM TRANSPORTATION

RENTAL CAR IS AUTHORIZED.

NO TRAVEL ADVANCE OR TRAVEL CARD NEEDED

EXCESS BAGGAGE IS AUTHORIZED UP TO 66 LBS.

ORDER MUST BE PAID BY 45 DAYS AFTER TRAVEL OR ORDER WILL BE REVOKED

THIS IS NOT A PERSTEMPO EVENT

TRANSPORTATION UTILIZES CENTRALLY BILLED ACCOUNT (CBA)

TRAVEL VOUCHER MUST BE SUBMITTED THROUGH UNIT ADMINISTRATOR

ASSED: 1901/01/01

FOR ARMY USE AUTH: 10 USC HOR: SAME AS SNL

ACCOUNTING CLASSIFICATION For FY 2008:

2182070	24-2453	1A1102A0	1198/MCC68490613160/R6XEAB	012152	\$	4098.87
2182070	24-2453	1A1102A0	1199/MCC68490613160/R6XEAB	012152	\$	897.18
2182070	24-2453	1A1102A0	1250/MCC68490613160/R6XEAB	012152	\$	313.56
2182070	24-2453	1A1102A0	21T1/MCC68490613160/R6XEAB	012152	\$	1398.00
2182070	24-2453	1A1102A0	21T2/MCC68490613160/R6XEAB	012152	\$	1005.00

Total \$ 7,712.61

PERFORMANCE FACTORS:	PART - 1	MDS - 19	FMGR - CA	UUC -
PPN: NA	COMP: USAR	FORMAT: 260	SECURITY CLEARANCE REQUIRED: N	PEBD: 1987/12/24
AT TRNG DAYS: 26	ADT TRNG DAYS: 3	ADTS TRNG DAYS: 0	ADOS-RC DAYS: 0	

DISTRIBUTION:
 1 INDIVIDUAL
 1 UNIT OF ASSIGNMENT
 1 RECORD SET

OFFICIAL

90TH RRC

FOR THE COMMANDER

WALTER D DODD

COL, GS

DEPUTY CHIEF OF STAFF, G8

PROGRAM CODE: 1220

RFO NUMBER: 068160

FUND MGR: CA - 1A 77 SUST BDE INDIV AT

COMPLETION OF CERTIFICATION BELOW IS REQUIRED ON ALL TOURS OF DUTY TO RECEIVE/MAINTAIN PAYMENT. I CERTIFY THAT I HAVE COMPLIED WITH THE ABOVE ORDER/AMENDMENTS. I HEREBY CLAIM ANY AMOUNT DUE ME. THE STATEMENTS ON THIS FORM ARE TRUE AND COMPLETE. IF A FEDERAL EMPLOYEE, I CERTIFY THAT I HAVE APPLIED FOR THE APPROPRIATE LEAVE. INCLUSIVE DATES OF DUTY PERFORMED ARE _____ TO _____ (INCLUDING TRAVEL) A DD FORM 1351-2 WILL/WILL NOT BE SUBMITTED FOR THIS CLAIM.

SOLDIER'S PRINTED NAME

CERTIFYING OFFICIAL'S PRINTED NAME

SOLDIER'S SIGNATURE/DATE

CERTIFYING OFFICIAL'S SIGNATURE/DATE

PENALTY: The penalty for willfully making a false claim is: A maximum fine of \$10,000 or maximum imprisonment of 5 years or both (U.S. Code, Title 18, Sec 287).

The Certifying Officer must have personal knowledge or documentation supporting the fact that the duty was satisfactorily performed.

DEPARTMENT OF THE ARMY
CAMP SHELBY JOINT FORCES TRAINING CENTER
CAMP SHELBY, MISSISSIPPI 39407-5500

ORDERS 318-0023

14 November 2007

MCCONE, CHRISTIAN JOHN 166-58-6849 MAJ 1188 MIL OCEAN TML, (W8J9AA)

You are released from active duty, not by reason of physical disability, and assigned as indicated on the date immediately following release from active duty. Any temporary appointments held are terminated on your effective date of release from active duty.

Effective date: 27 November 2007

Assigned to: 1188 MIL OCEAN TML

Terminal date of Reserve obligation: Not applicable

Additional instructions: a. Transitional Health Care Benefits:

(1) Soldier is not entitled to separation pay IAW 10 USC 1174.

(2) Expiration medical: 25 May 2008

(3) For information on benefits and services see the Army Career and Alumni Program (ACAP) office, Army Community Services (ACS) office and/or your military personnel office.

b. Soldier is eligible for Transitional Health Care under 10 USC, Section 1145 until 25 May 2008.

c. Individual was ordered to active duty in support of Operation Enduring Freedom. d. Soldier is authorized 12 days transition leave. Individual will depart on leave 20071116. Transition leave will end on 20071127. e.

Will proceed date: 20071115. f. SPD: 1bkl g. Official travel arrangements purchased through a commercial travel office (travel) agency not under contract to the government is not reimbursable. h. Government transportation authorized from Camp Shelby, MS to Home of Record or PLEAD.

i. Reimbursement of authorized checked baggage on commercial flights weighing more than 50 lbs to a max of 70 lbs per bag authorized as excess baggage. j. 2182010.0000 01-1100 P2W2C00 11**/12** VFRE F3203 5570 S12120

FOR ARMY USE

HOR: MAGNOLIA DE US

Place EAD or OAD: DECATUR GA US

MDC: PMOS

Comp: RESERVE

PEBD: Not applicable

Format: 523

FOR THE COMMANDER:

* OFFICIAL *
* DA, MCS *
* CAMP SHELBY, MS *

TIMOTHY S DAMICO
LTC, AV
DIRECTOR, DPCA

DISTRIBUTION:

MAJ MCCONE (5)

Cdr 1188 MIL OCEAN TML, (W8J9AA) (1)

1- HQ STATE ARNG

CAUTION: NOT TO BE USED FOR
IDENTIFICATION PURPOSESTHIS IS AN IMPORTANT RECORD.
SAFEGUARD IT.ANY ALTERATIONS IN SHADED AREAS
RENDER FORM VOID

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle) MCCONE, CHRISTIAN JOHN		2. DEPARTMENT, COMPONENT AND BRANCH ARMY/USAR/TC		3. SOCIAL SECURITY NUMBER 166 58 6849	
4a. GRADE, RATE OR RANK MAJ	b. PAY GRADE 004	5. DATE OF BIRTH (YYYYMMDD) 19660708	6. RESERVE OBLIGATION TERMINATION DATE (YYYYMMDD) 00000000		
7a. PLACE OF ENTRY INTO ACTIVE DUTY DECATUR, GEORGIA		b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known) 19 TRILLIUM DR MAGNOLIA DELAWARE 19962-9481			
8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND 1188 MIL OCEAN TML AR		b. STATION WHERE SEPARATED CAMP SHELBY, MS 39407			
9. COMMAND TO WHICH TRANSFERRED 99TH RRC			10. SGLI COVERAGE <input type="checkbox"/> NONE AMOUNT: \$400,000.00		
11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.) 88D MOTOR/RAIL TRANS - 10 YRS 3 MOS//NOTHING FOLLOWS		12. RECORD OF SERVICE		YEAR(S)	MONTH(S)
		a. DATE ENTERED AD THIS PERIOD		2006	11
		b. SEPARATION DATE THIS PERIOD		2007	11
		c. NET ACTIVE SERVICE THIS PERIOD		0001	00
		d. TOTAL PRIOR ACTIVE SERVICE		0000	08
		e. TOTAL PRIOR INACTIVE SERVICE		0000	00
		f. FOREIGN SERVICE		0000	09
		g. SEA SERVICE		0000	00
h. EFFECTIVE DATE OF PAY GRADE		2003	06	19	
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) BRONZE STAR MEDAL//ARMY COMMENDATION MEDAL// ARMY ACHIEVEMENT MEDAL (3RD AWARD)//ARMY RESERVE COMPONENTS ACHIEVEMENT MEDAL (4TH AWARD)//NATIONAL DEFENSE SERVICE MEDAL (2ND AWARD)//AFGHANISTAN CAMPAIGN MEDAL//GLOBAL WAR ON TERRORISM EXPEDITIONARY MEDAL//GLOBAL WAR ON TERRORISM SERVICE MEDAL//CONT IN BLOCK 13		14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed) NONE//NOTHING FOLLOWS			
15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM				YES	<input checked="" type="checkbox"/> NO
b. HIGH SCHOOL GRADUATE OR EQUIVALENT		<input checked="" type="checkbox"/>		YES	<input type="checkbox"/> NO
16. DAYS ACCRUED LEAVE PAID 0	17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION			YES	<input checked="" type="checkbox"/> NO
18. REMARKS DD FORM 215 WILL BE ISSUED TO PROVIDE MISSING INFORMATION. SERVED IN A DESIGNATED IMMINENT DANGER PAY AREA//SERVICE IN KUWAIT//AFGHANISTAN 2007/0123-2007/11//ITEM 13B ABOVE DOES NOT ACCOUNT FOR ANNUAL AND/OR WEEKEND TRAINING THIS SOLDIER MAY HAVE ACCOMPLISHED PRIOR TO DATE ENTERED IN ITEM 12A//INDIVIDUAL COMPLETED PERIOD FOR WHICH ORDERED TO ACTIVE DUTY FOR PURPOSE OF POST SERVICE BENEFITS AND ENTITLEMENTS//ORDERED TO ACTIVE DUTY IN SUPPORT OF OPERATION ENDURING FREEDOM. LAW 10 USC 12302//MEMBER HAS COMPLETED FIRST FULL TERM OF SERVICE//PDMR TAKEN 6 DAYS//CONT FROM BLOCK 13//OVERSEAS SERVICE RIBBON//ARMY RESERVE COMPONENT OVERSEAS TRAINING RIBBON//ARMED FORCES RESERVE MEDAL W/ M DEVICE//ARMED FORCES RESERVE MEDAL WITH 20 YEAR DEVICE//NOTHING FOLLOWS					
The information contained herein is subject to computer matching within the Department of Defense or with any other affected Federal or non-Federal agency for verification purposes and to determine eligibility for, and/or continued compliance with, the requirements of a Federal benefit program.					
19a. MAILING ADDRESS AFTER SEPARATION (Include ZIP Code) 19 TRILLIUM DR MAGNOLIA DELAWARE 19962-9481		b. NEAREST RELATIVE (Name and address - include ZIP Code) JOAN MCCONE 19 TRILLIUM DR MAGNOLIA DELAWARE 19962-9481			
20. MEMBER REQUESTS COPY 3 BE SENT TO		DE		DIRECTOR OF VETERANS AFFAIRS	
21. SIGNATURE OF MEMBER BEING SEPARATED 		22. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature) JAMES E. DAVIS CPT			

SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)		
23. TYPE OF SEPARATION RELEASE FROM ACTIVE DUTY		24. CHARACTER OF SERVICE (Include upgrades) HONORABLE
25. SEPARATION AUTHORITY AR 600-8-24, PARA 2-25A	26. SEPARATION CODE LBK	27. REENTRY CODE NA
28. NARRATIVE REASON FOR SEPARATION COMPLETION OF REQUIRED ACTIVE SERVICE		
29. DATES OF TIME LOST DURING THIS PERIOD (YYYYMMDD) NONE		30. MEMBER REQUESTS COPY 4 (Initials) CJM

DD FORM 214-AUTOMATED, FEB 2000

PREVIOUS EDITION IS OBSOLETE.
GENERATED BY TRANSPROC

MEMBER - 4

DEPARTMENT OF THE ARMY
HEADQUARTERS, 310TH THEATER ARMY AREA COMMAND
8831 FARRAR ROAD
FT BELVOIR, VIRGINIA 22060-5101

ORDERS 050-3

19 February 1999

MCCONE CHRISTIAN JOHN
19 TRILLIUM DRIVE
MAGNOLIA DE 19962-0000

166-58-6849 CPT
55TH SC(MMC) (WVFCOA)
FORT BELVOIR VA 22060-5101

You are reassigned in the reserve as shown below.

Released From: 55TH SC(MMC) (WVFCOA)
8831 FARRAR ROAD
FORT BELVOIR VA 22060-5101

Reason: TPU VOLUNTARY REASSIGNMENT
Assigned To: 421 TC DET (WYGTA)
FLEMING GODWIN USAR CENTE
DOVER DE 19903-0917

Effective Date: 01 April 1999

Additional instructions: POSN 9992 PARA LINE DMOS 88D00 DMOSQ Q

FOR ARMY USE:
Auth: AR 140-10
Asgd to mgt dsq: NA
Basic Br: NA
Con Br: NA
Con speciality: NA
Prog speciality: NA
Format: 450

FOR THE COMMANDER:

* OFFICIAL *
* 310TH TAACOM *

MARTIN R. JOHNSON
COL, AG, USAR
ADJUTANT GENERAL

DISTRIBUTION:
1-INDIV
1-DCSPER
1-SIDPERS
1-GAINING UNIT
1-LOSING UNIT
1-310TH TAACOM